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CC DOCKET NO: 02-6

REQUEST FOR RULE WAIVER

AMERICAN SAMOA STATE
EDUCATION AGENCY (BEN:150224)

American Samoa State Education Agency (AS-SEA) hereby requests for review and waiver of rule pursuant to §54.719(a) through (c) in the above referenced Docket. AS-SEA asks that, it be granted a rule waiver of the FCC deadline for Implementation (Service Delivery) Deadline Extension requests which was 9/30/2018 for Funding Year 2017 Funding Commitment Decisions by the Universal Service Administrative Company (USAC).

American Samoa was hit by Tropical Storm Gita on February 7-12, 2018, and a Presidential Major Disaster Declaration (DR-4357) was made on March 2, 2018.

AS-SEA attempted to submit a Funding Request extension by the September 30th deadline, but experienced a system glitch which delayed the submission past the deadline by two (2) hours. It started the process before the deadline, but the system

1 glitches with the E-Rate Productivity Center prevented AS-SEA from meeting this
2 deadline.

3 PDS experienced delays in shipping needed materials and supplies for the project due
4 to the availability of space on vessels headed for American Samoa. They also had
5 difficulties obtaining materials and supplies from local suppliers due to the high demand
6 and unavailability associated with the storm's devastation and the island's efforts to
7 rebuild in the aftermath. Nevertheless, PDS has persevered and completed the work on
8 December 14, 2018, despite the uncertainty of receiving timely payment.

9 AS-SEA seeks a waiver of Title 47 → Chapter I → Subchapter B → Part 54 → Subpart
10 F §54.507 Cap. d.4. AS-SEA seeks its Form 500 filing be granted so that PDS can seek
11 reimbursement from USAC for the materials and services it has provided under Post
12 Commitment Request Number 124685. PDS had no control over the access to schools
13 to complete the work nor control over the availability of supplies and materials to
14 complete the project prior to the September 30th deadline and these delays were as a
15 direct result of the natural disaster (Cyclone) that struck American Samoa during the
16 project.

17 A copy of this request for review was served on the USAC Administrator consistent with
18 the requirement for service of documents set forth in §1.47 of Title 47, Chapter 1.

19 **(1) A statement setting forth the party's interest in the matter presented for review;**

20 **(2) A full statement of relevant, material facts with supporting affidavits and
21 documentation;**

22 **(3) The question presented for review, with reference, where appropriate, to the relevant
23 Federal Communications Commission rule, Commission order, or statutory provision;**

24 **(4) A statement of the relief sought and the relevant statutory or regulatory provision
25 pursuant to which such relief is sought.**

Title 47 → Chapter I → Subchapter B → Part 54 → Subpart F §54.507 Cap. d. 4.iii

(4) The deadline for implementation of all non-recurring services will be September 30 following
the close of the funding year. An applicant may request and receive from the Administrator an
extension of the implementation deadline for non-recurring services if it satisfies one of the following
criteria:

(i) The applicant's funding commitment decision letter is issued by the Administrator on or after
March 1 of the funding year for which discounts are authorized;

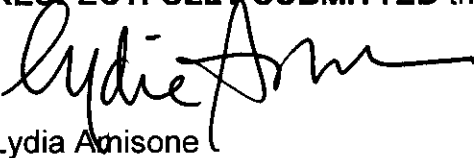
1 (ii) The applicant receives a service provider change authorization or service substitution
2 authorization from the Administrator on or after March 1 of the funding year for which discounts are
3 authorized;

4 (iii) The applicant's service provider is unable to complete implementation for reasons beyond
5 the service provider's control; or

6 (iv) The applicant's service provider is unwilling to complete installation because funding
7 disbursements are delayed while the Administrator investigates the application for program
8 compliance.

9 The attached FRNs were included in the submitted Form 500.

10 **RESPECTFULLY SUBMITTED** this 18th day of December 2018.

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FRN	Form471	Application Nickname	FRN Nickname	Categor y of Service	SPIN	SPIN NAME	Orig inal CED	New CED
17991 04610	1710459 06	American Samoa Yr20-C2 Network Electronics	Tafuna HS	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 04764	1710459 06	American Samoa Yr20-C2 Network Electronics	Tafuna ES	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 04813	1710459 06	American Samoa Yr20-C2 Network Electronics	Tafuna ECE	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 04890	1710459 06	American Samoa Yr20-C2 Network Electronics	St Theresa ES	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 04905	1710459 06	American Samoa Yr20-C2 Network Electronics	SPICC	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 04936	1710459 06	American Samoa Yr20-C2 Network Electronics	South Pacific Academy (SPA)	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 05034	1710459 06	American Samoa Yr20-C2 Network Electronics	Siliaga ES	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 05115	1710459 06	American Samoa Yr20-C2 Network Electronics	Samoana HS	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 05152	1710459 06	American Samoa Yr20-C2 Network Electronics	Samoa Baptist Academy (Happy Valley)	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018
17991 05178	1710459 06	American Samoa Yr20-C2 Network Electronics	Pava'ia'i ES	Category 2	1430 2623 4	Pacific Data Systems	9/30/2 018	12/31 /2018

17991 05224	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Pava'ia'i ECE	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05313	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Nu'uli Technical High (Poly Tech)	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05331	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Matatula ES	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05350	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Matafoa ES	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05374	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Manumalo Baptist Academy	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05394	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Manulele ES	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05405	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Lupelele ES	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05432	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Leone Midkiff HS	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05446	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Leone HS	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05476	1710 4590 6	American Samoa Yr20-C2 Network Electronics	Lauli'i ES	Cate gory 2	1430 2623 4	Pacific Data Systems	9/30/ 2018	12/31 /2018
17991 05501	17104 5906	American Samoa Yr20-C2 Network Electronics	Kananafou ES	Categ ory 2	14302 6234	Pacific Data Systems	9/30/ 2018	12/31/ 2018

17991 05533	17104 5906	American Samoa Yr20-C2 Network Electronics	Faga'itua HS	Categ ory 2	14302 6234	Pacific Data Systems	9/30/ 2018	12/31/ 2018
17991 05553	17104 5906	American Samoa Yr20-C2 Network Electronics	Fa'asao Marist HS	Categ ory 2	14302 6234	Pacific Data Systems	9/30/ 2018	12/31/ 2018
17991 05575	17104 5906	American Samoa Yr20-C2 Network Electronics	Coleman ES	Categ ory 2	14302 6234	Pacific Data Systems	9/30/ 2018	12/31/ 2018
17991 05587	17104 5906	American Samoa Yr20-C2 Network Electronics	Aua ES	Categ ory 2	14302 6234	Pacific Data Systems	9/30/ 2018	12/31/ 2018
17991 05608	17104 5906	American Samoa Yr20-C2 Network Electronics	Alataua Lua Tapu Tapu ES	Categ ory 2	14302 6234	Pacific Data Systems	9/30/ 2018	12/31/ 2018